

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE: NEW ENGLAND  
COMPOUNDING PHARMACY, INC.  
PRODUCT LIABILITY LITIGATION

MDL No. 13-2419-RWZ

This Document Relates To:

All Actions

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**EMERGENCY MOTION OF THE UNITED STATES TO STAY THE  
DEPOSITIONS OF JOSEPH CONNOLLY AND JOHN NOTARIANNI**

Pursuant to this Court’s Order dated November 10, 2015, the United States respectfully moves on an emergency basis to stay the depositions of Joseph Connolly (“Connolly”) and John Notarianni (“Notarianni”), who are potential government witnesses in the criminal case. Specifically, the government requests that this Court grant its motion seeking this relief, which it filed on November 9, 2015 (Docket No. 2395) and is attached hereto as Exhibit A (hereinafter, the “Motion to Stay”).

Connolly’s deposition has been noticed for November 11, 2015 (see Docket No. 2369), and the government referenced that notice when filing the Motion to Stay. See ECF Filing titled, “Motion to Stay re [2369] Notice (Other), Depositions of Joseph Connolly and John Notarianni by United States of America” (Docket No. 2395). Based on correspondence between counsel for the St. Thomas Entities and the government on Friday, November 6, 2015, the government understood when it filed the Motion to Stay that the St. Thomas Entities would postpone Connolly’s deposition if the government filed a motion to stay it. The St. Thomas Entities changed this position on Monday evening after the government filed the Motion to Stay, and the

government called the Court at 9:00 am today to inform it that the government is now seeking emergency review of its motion.

The deposition for Notarianni has not yet been noticed. By e-mail today, the St. Thomas Entities informed the government that that deposition is scheduled to take place on November 19, 2015.

### **CONCLUSION**

The government requests that the Court consider its Motion to Stay the depositions of Connolly and Notarianni on an emergency basis and grant it.

Respectfully submitted,

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UNITED STATES ATTORNEY

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Dated: November 10, 2015

Certificate of Compliance with Local Rule 7.1

I hereby certify that the United States conferred with counsel for the St. Thomas Entities regarding the substance of this Motion, and they assent to the request that the Court decide the government's Motion to Stay on an emergency basis.

By: /s/ Amanda P.M. Strachan  
AMANDA P.M. STRACHAN  
Assistant United States Attorney

Certificate of Service

I hereby certify that the foregoing document filed through the ECF system will be sent electronically to counsel of record who are registered participants as identified on the Notice of Electronic Filing (NEF).

By: /s/ Amanda P.M. Strachan  
AMANDA P.M. STRACHAN  
Assistant United States Attorney

Dated: November 10, 2015